

BEYS LISTON & MOBARGHA LLP

Nader Mobargha
646.755.3603 (Direct)
nmobargha@blmlp.com

March 22, 2024

BY ECF

The Honorable Paul A. Engelmayer
United States District Court for the Southern District of New York
40 Foley Square, Room 2201
New York, NY 10007

Re: Case No. 23-cv-08510 (PAE), *Qiana Martin, on behalf of herself and all others similarly situated v. Bottom Line Concepts, LLC*

Dear Judge Engelmayer:

We are co-counsel to Defendant Bottom Line Concepts, LLC ("BLC") in the above-captioned proceeding and write to request an extension of time to respond to Plaintiff Qiana Martin's ("Plaintiff") second amended complaint (the "SAC") and an adjournment of the initial pretrial conference.

Based on the Court's March 14, 2024 Opinion and Order regarding Defendant's motion to dismiss Plaintiff's first amended complaint (the "FAC") [ECF No. 35], Defendant must respond to Plaintiff's SAC by March 28, 2024.

By Order of the same date [ECF No. 36], the Court scheduled an initial pretrial conference for April 2, 2024.

In light of the fact that lead counsel for BLC is traveling the next two weeks, and the parties would like the opportunity to try to resolve the case through informal, extrajudicial resolution, we respectfully request that the deadline for BLC to respond to Plaintiff's SAC be extended to April 18, 2024, and the initial pretrial conference be adjourned to May 3rd, May 6th, May 7th or May 8th. The parties acknowledge that in accordance with the Court's Individual Rules, they will prepare a Civil Case Management Plan and Scheduling Order, as well as a joint letter setting forth a brief description of the case, any contemplated motions, and the prospect for settlement, at least four (4) business days prior to the conference date.

641 Lexington Avenue, 14th Floor, New York, NY 10022

Main: 646.755.3600 • Fax: 646.755.3599

www.blmlp.com

Page 2 of 2

There was one previous request for an extension of time with respect to the briefing schedule for Defendant's motion to dismiss Plaintiff's FAC.

Plaintiff's counsel has consented to the request for an extension and adjournment.

We appreciate the Court's attention to this matter.

Respectfully,

/s/ Nader Mobargha

Nader Mobargha, Esq.

Co-counsel for Defendant Bottom Line Concepts, LLC

cc: All counsel via ECF

GRANTED. The initial pretrial conference is rescheduled to **May 3, 2024 at 2:00 p.m.** Dial-in information remains the same as stated in the Court's prior order.

SO ORDERED.

Dated: March 22, 2024
New York, New York



PAUL A. ENGELMAYER
United States District Judge